The Adjutant General Directorate

"People Always ... Mission First"

CRSC Ambassador Training

Legislation and Program Updates
January 30, 2008

Agenda

- Introductions
- 2008 NDAA Legislative Updates
- Open Discussion
- Administrative Reminders
  - Use the V2AM Coded Claim Form
  - Keep the program office informed of briefings or events attended on behalf of CRSC

Legislation Overview

- Designed to offset the VA disability compensation subtracted from retired pay
- The 2008 National Defense Authorization Act (NDAA) was signed into law on January 29, 2008.
- The NDAA expanded Combat-Related Special Compensation (CRSC) eligibility to include those who were medically retired under Chapter 61 with less than 20 years of service, effective January 1, 2008.
- A Chapter 61 retiree is anyone who was medically retired from military service.
- Chapter 61 is a new component for CRSC. Medically retired Veterans must still provide documentation that shows a causal link between a current VA disability and a combat-related event.

Other than YOS requirement for Ch 61, eligibility remains the same

- AC, RC, NG with 20 years of service or permanent medical retirement
- 10% or greater VA rated injury
- Receiving military retired pay
- Military retired pay is reduced by VA disability payments (VA Waiver)
- Combat Related is:
  - Simulating War (SW)
  - Hazardous Service (HS)
  - Instrumentality of War (IN)
  - Armed Conflict (AC)

Required Documentation

- Signed claim form
- Chapter 61 Board Results
- **ALL** VA rating decisions which include the letter and the narrative summaries
- **ALL** DD214's
- Medical records that support "**HOW"** the injury occurred for each claimed disability that meets the criteria for combat-related

DO NOT SEND ORIGIONAL PAPERWORK EXCEPT THE CLAIM FORM

Chpt. 61 Claims Processing

- We will not begin processing claims until the DoD provides program implementation instructions. Please continue to check our website for receipt of the DoD implementation instructions.
- Potentially eligible retirees can begin to gather the required documentation (VA rating decision, DD214, medical records) needed to submit their claim.

Eligible Claimants

- Chapter 61 claimants that opt for a severance package are not eligible since they are not receiving retired pay, therefore there is nothing to offset
- TERA Retirees were not included in the bill, although they are eligible for CRDP (correction: Yes, TERA retirees will be included under the new legislation per OSD e-mail dated Feb 5 2008)
- IU has never effected CRSC eligibility or award ratings, although it could effect payments through DFAS

Payment Amounts

- Payment amounts are determined by DFAS and are unique for each service member based on years of service, retirement pay, and more. If you have any questions regarding the amount payment, contact DFAS directly.
- 1-800-321-1080 or www.dfas.mil
- Provided for FYI only – Bill language regarding payments:

  …*the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds the amount equal to 2 1/2 percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member*

Discussion Notes

- Those who are medically retired must have at least a 30% disability. Those that leave service with 20% or less are considered medically seperated and offered a severance package and are not eligible (since they are not receiving military retired pay).

- The DoD guidance for submitting a claim, documentation requirements, etc., along with the updated claim form (if required by DoD) will be e-mailed or mailed via USPS as soon as we have that information.

- IU, is not determined by CRSC and has no effect on the percentage of disability that is determined to be combat related. A retiree can apply for IU through the VA if he/she has a single disability of 60% or greater or a combined disability of 70% or greater. Questions re: IU should be directed to your local VA.

- All VA Rating decisions and code sheets (if available) should be submitted with a CRSC claim

Discussion Notes (cont.)

- For a copy of your Ch61 Board Record contact Archives: www.archives.gov and fill out an SF180 or Form 21-4138 for your claims folder. Your VA Regioinal Office should also be able to get copies of medical records, etc.

- An updated Roster will be sent out on January 31.

- Your local Veterans' Service Organization is a great resource for forms, etc.

- If a secondary condition is being claimed, make sure the VA rating decision has them listed as such. If it is not, the veteran will need a doctor's letter from a military doctor, on VA or MTF letterhead, stating that the condition is in fact secondary to the combat-related disability.

- If a reconsideration is approved, can the veteran select CRSC or CRDP outside of open season (Jan 1-31) the way they can with an origional application? ***We are waiting for confirmation from DFAS and may not get that until next week, but will keep you posted on that.